

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
May 16, 2016**

CALL TO ORDER

Acting Mayor Quigley called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on May 16, 2016.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

Acting Mayor Quigley explained that he is sitting in as Mayor in Mayor Martin's absence.

The following members were present: Acting Mayor Quigley; Councilmembers Springhorn and Wickstrom.

Mayor Martin and Councilmember Johnson were absent.

APPROVAL OF AGENDA

MOTION: by Councilmember Wickstrom, seconded by Councilmember Springhorn to approve the May 16, 2016 agenda as submitted.

VOTE: Ayes - 3 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

Mr. Bob Weyandt, 4785 Hodgson Road, stated that in regard to the PUD for the second parcel of the Kowalski property, he requested that the bank proposing to occupy that parcel be asked to reconsider. There are 22 financial institutions within a five-mile radius of his home. There are five financial institutions in this area that have closed recently. The Guaranty Bank in the Rainbow Foods building closed long before the grocery store. The proposed bank has a higher mortgage rate and lower interest earnings than other banks. There is an online petition with over 600 signatures opposing this development and supporting the addition of a restaurant at this site. The community has a different expectation than a bank. A restaurant was discussed. In the last Community Survey, 32% of respondents suggested a new restaurant in the City. No one suggested a bank. Shoreview has provided \$1.1 million in assistance for the Kowalski

development and the left turn lane off Highway 96 at a cost of approximately \$150,000. He requested that the bank be asked to take the time to search for the right client for this location. As a gesture of appreciation, the City would refund the development fees to the bank if the proposal is withdrawn.

Councilmember Quigley noted that the Council has little power to object to a proposal that follows City procedures and is consistent with zoning and land use regulations. The 623 signers online were in support of a restaurant but not objecting to a bank, although they hoped for the restaurant to be on the bank site. The interest in a restaurant is significant. In late 2014, the City pursued restaurants and had marketing surveys done by a consultant. Community Development staff have been aggressive in working to attract a restaurant.

Councilmember Wickstrom reported that information received from restaurants indicate that there would not be enough population and employment density in the area to support a restaurant at this location. Attracting Kowalski's and Trader Joe's was difficult. What helps is when residents contact the companies to tell them their business is desired in the community. She encouraged residents to contact restaurants and let them know of the demand in Shoreview.

Councilmember Springhorn noted that residents have asked for Kozlak's to come back. Community Development Director Simonson informed him that Kozlak's was aware of that available site but chose not to pursue that location.

Mr. Jerome King, 4419 Chatsworth Street, stated that he is a nursing student at Bethel University. He is involved in a public health project. If there is anything related to public health as the Council goes through their agenda, he would appreciate those comments.

City Manager Schwerm stated that there is a public health component to the liquor licensing that is on the agenda. The City conducts compliance checks to make sure liquor is not sold to under age persons.

Mr. King asked about the change order for the water treatment plant. Acting Mayor Quigley stated that water tests show the City water is within guidelines for manganese and iron. City Manager Schwerm noted that the consent agenda includes a change order for the Water Treatment Plant, which is being constructed to address increasing levels of manganese and iron in the water.

COUNCIL COMMENTS

Councilmember Springhorn:

The Northeast Youth and Family Services is hosting the 2nd Annual Mayor's Golf Tournament at Keller Golf Course on Monday, June 13, 2016, beginning at 11:00 a.m. The cost is \$150 for the day, including dinner. The cost to only attend the dinner is \$35. Detailed information is at nyfs.org.

Also, the City's Shoreview Human Rights is soliciting nominees for the Caring Youth Award. Nominations can be made through the City's website until June 15, 2016.

PUBLIC HEARING**APPROVAL OF ON-SALE AND OFF-SALE LIQUOR LICENSE - KOWALSKI'S MARKET, 411 HIGHWAY 96**

City Attorney Kevin Beck stated that all public notice requirements have been met to hold the public hearing.

Councilmember Quigley opened the public hearing.

Mr. Tom Beauchamp, CFO at Kowalski's, stated he is present to answer questions.

City Manager Schwerm stated that two licenses are requested. An off-sale license will be issued for selling wine and an on-sale license will be issued for the catering business. The necessary background checks have been completed. The license fees will be prorated depending on when Kowalski's opens. The store is scheduled to open in November. He indicated that all required licensing information has been provided and staff is recommending approval of the licenses.

Mr. Jerome King asked how legislation allowing Sunday liquor sales would impact Shoreview. City Manager Schwerm stated that the legislature did not vote to pass that legislation. If the state law were to change, the City would have to consider changing its ordinance to comply with state law.

Councilmember Wickstrom asked if Kowalski's is aware of the City's concern about not selling to minors and the compliance checks. **Mr. Beauchamp** responded that Kowalski's is aware of the City's concern. Kowalski's intentionally provides training to all employees regarding liquor regulations. Once trained, employees are asked to sign a policy statement indicating their understanding of the regulations. This includes prohibition of sales to minors, about which Kowalski's is very strict.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Springhorn to close the public hearing.

VOTE: Ayes - 3 Nays - 0

MOTION: by Councilmember Wickstrom, seconded by Councilmember Springhorn to approve the application of an on-sale and off-sale liquor license for Kowalski's Market to be located at 411 Highway 96, Shoreview, Minnesota.

VOTE: Ayes - 3 Nays - 0

GENERAL BUSINESS**APPROVAL OF LIQUOR LICENSE RENEWALS**

City Manager Schwerm reported that all establishments that hold liquor licenses in the City must renew the license by July 1st of each year. Criminal background checks have been done on all managers. All taxes and utility bills of liquor establishments have been paid. There has also been a review of police reports. Recent compliance checks in December and last Friday, May 13, 2016, showed that all establishments passed. It is recommended that all licenses be renewed.

Acting Mayor Quigley asked if the number of current licenses have reached the City's cap on issuing liquor licenses. City Manager Schwerm stated that the City has put a cap on off-sale intoxicating licenses at five. Two off-sale licenses are currently issued and with the approval of Kowalski's, there will be a total of three in the City.

MOTION: by Councilmember Cory Springhorn, seconded by Councilmember Wickstrom to approve the following liquor license renewals for the license term of July 1, 2016 to June 30, 2017:

Establishment

Green Mill Restaurant
Meister's Bar and Grill
Hilton Garden Inn
Red Robin Gourmet Burger and Spirits

Bacchus Wine and Spirits
Trader Joe's

Target

Island Lake Golf Course

Mansetti's Pizza and Pasta
Wok Cuisine
Red Ginger China Bistro
Chipotle Mexican Grill

Type of License

On Sale Intoxicating and Sunday
On Sale Intoxicating and Sunday
On Sale Intoxicating and Sunday
On Sale Intoxicating and Sunday

Off Sale Intoxicating
Off Sale Intoxicating

Off Sale 3.2 Malt Beverage

On Sale 3.2 Malt Beverage

On Sale 3.2 Malt Beverage and Wine
On Sale 3.2 Malt Beverage and Wine
On Sale 3.2 Malt Beverage and Wine
On Sale 3.2 Malt Beverage and Wine

ROLL CALL: Ayes: Springhorn, Wickstrom, Quigley
Nays: None

ADJOURNMENT

MOTION: by Councilmember Springhorn, seconded by Acting Mayor Quigley to adjourn the meeting at 7:34 p.m.

VOTE: Ayes - 3 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE ____ DAY OF _____ 2016.

Terry Schwerm
City Manager